

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION
FOR THE
COTTON GARMENT INDUSTRY

AS APPROVED ON AUGUST 16, 1934



UNITED STATES
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Approved Code No. 118—Amendment No. 5

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

COTTON GARMENT INDUSTRY

As Approved on August 16, 1934

ORDER

AMENDMENT TO THE CODE OF FAIR COMPETITION FOR THE COTTON GARMENT INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendments to a Code of Fair Competition for the Cotton Garment Industry, and hearings having been duly held thereon, and the annexed report on said amendments, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise, do hereby incorporate, by reference, said annexed report, and do find that amendments and the Code as constituted after being amended, comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that except as hereinafter provided said amendments be and they are hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended;

PROVIDED, HOWEVER, that the approval of the amendment granted hereby does not extend to Section 32 of Schedule E covering the Washable Service Apparel Industry; it is

FURTHER ORDERED that said amendments shall become effective as part of the Code ten (10) days after the date hereof.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

WILLIAM P. FARNSWORTH,
Acting Division Administrator.

WASHINGTON, D.C.,
August 16, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Public Hearing on amendments to the Code of Fair Competition for the Cotton Garment Industry as proposed by the Code Authority for this Industry was conducted on Tuesday, May 22, 1934, in the Sun Parlor, Washington Hotel, Washington, D.C.

Every person who requested an appearance was fairly heard in accordance with the requirements of the National Recovery Administration. Present were authorized representatives of the Code Authority for this Industry, representatives of each of the Sub-Divisional Trade Associations, representatives of the National Retail Dry Goods Association and representative members of the Industry.

The Amendments are drafted as a new Article XIX of the Code of Fair Competition and completes the Code inasmuch as up to this time the Cotton Garment Code has had no Fair Trade Practices.

The Deputy Administrator in his final report to me on said amendment to said Code having found has herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the afore-said amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons these trade practice provisions have been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

AUGUST 16, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE COTTON GARMENT INDUSTRY

The Code of Fair Competition for the Cotton Garment Industry approved November 17, 1933, as amended, is hereby further amended by adding thereto a new article to be known as Article XIX, to read as follows:

ARTICLE XIX

SECTION 1. To further remove obstruction to the free flow in industry and commerce in the Cotton Garment Industry and the subdivisonal industries thereof, to eliminate unfair competitive practices, to improve standards of labor, to rehabilitate the industry and more fully effectuate the policy of Title I of the National Industrial Recovery Act, the following shall constitute fair trade practices under the Code:

SECTION 2. Nothing in this Article with respect to fair trade practices shall be construed for any purpose or under any circumstance as superseding the provisions of this Code as amended, but it shall be construed as supplemental to this Code as amended and any provision of this Article made a part hereof, found to be in conflict with any of the provisions of this Code as amended shall be null and void.

SECTION 3. The respective trade associations for the industry shall be the agencies to cooperate with the Code Authority and the Administrator in the administration of this Article, provided, however, that:

(a) The Code Authority under such Rules and Regulations as may be approved by the Administrator may assign to the trade associations the general supervision, subject to review by the Code Authority, of the administration of this Article, or any part thereof.

(b) The Code Authority immediately upon the approval of this Article shall notify the respective trade associations of the subdivisonal industries affected and each such association may file with the Code Authority an application that such subdivisonal trade association be set up as the administrative agency with respect to the administration of this Article, or any part thereof.

(c) Any trade association approved both by the Code Authority and the Administrator under the Code is an agency in the administration of the provisions of this Article and at all times shall be bound by the Rules and Regulations of the Code Authority, or the Administrator. No act of any association in the conduct of its duties shall violate any of the provisions of this Code.

(d) Any act of any trade association to which there shall have been assigned by the Code Authority any power, duty, or function under the provisions of this Article, shall be at all times subject to review and disapproval by the Code Authority and the Administrator, and nothing herein shall be construed as granting to any trade association any power or authority except that specifically

assigned by the Code Authority, nor shall any provision herein be construed to relieve the Code Authority of its ultimate responsibility for the proper administration of the Code.

SECTION 4. *The Code Authority may disburse to any trade association, approved as an aid in the administration of this Article, from its funds such amounts as from time to time may be necessary and proper to defray the expenses of such association in the administration of, and compliance with this Article.*

SECTION 5. *Inaccurate Advertising.*—No member of the industry shall publish advertising (whether printed, radio, display or of any other nature), which is misleading or inaccurate in any material particular, nor shall any member in any way misrepresent any goods (including but without limitation its use, trade-mark, grade, quality, quantity, origin, size, substance, character, nature, finish, material content or preparation), or credit terms, values, policies, services, or the nature or form of the business conducted.

SECTION 6. *False Billing.*—No member of the industry shall knowingly withhold from or insert in any quotation or invoice any statement that makes it inaccurate in any material particular.

SECTION 7. *Inaccurate Labeling.*—No member of the industry shall sell, brand, mark or pack any goods in any manner which is intended to or does deceive or mislead purchasers with respect to the prices, brand, grade, quality, quantity, origin, size, substance, character, nature, finish, material content or preparation of such goods.

SECTION 8. *Defamation.*—No member of the industry shall defame a competitor by falsely imputing to him dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representation, or by falsely disparaging the grade or quality of his goods.

SECTION 9. *Threats of Law Suits.*—No member of the industry shall publish or circulate unjustified or unwarranted threats of legal proceedings which tend to or have the effect of harassing competitors or intimidating their customers.

SECTION 10. *Bribing Employees.*—No member of the industry shall give, permit to be given, or offer to give, anything of value for the purpose of influencing or rewarding the action of any employee, agent, or representative of another in relation to the business of the employer of such employee, the principal of such agent or the represented party, without the knowledge of such employer, principal or party. This provision shall not be construed to prohibit free and general distribution of articles commonly used for advertising except so far as such articles are actually used for commercial bribery as hereinabove defined.

SECTION 11. *Inducing Breach of Existing Contracts.*—No member of the industry shall wilfully induce or attempt to induce the breach of existing contracts between competitors and their customers by any means, or interfere with or obstruct the performance of any such contractual duties or services by any means, with the purpose and effect of hampering, injuring or embarrassing competitors in their business.

SECTION 12. *Consignment.*—No member of the industry shall ship or sell goods on open order subject to consignment, or by sales agencies, or by any other method which has the effect of selling on

consignment or memorandum guaranteeing retail or wholesale turnover.

SECTION 13. *Keeping of Records.*—All members of the industry and all agencies thereof shall be required to keep a substantial record of all transactions.

SECTION 14. *Arbitration.*—Any question or dispute which may arise between or among any persons, or between or among any of them and other persons, firms, or corporations, for the settlement of which provision has not or shall not have been made in this Code may be submitted to arbitration to or under the auspices of any institution of recognized standing having adequate facilities for the conduct of such arbitration; provided all parties involved agree to such method of arbitration, and the decisions of such arbitration shall be final and binding upon all parties.

SECTION 15. *Commission on Contractors.*—The Administrator shall forthwith appoint a commission of three persons, one of whom shall represent labor and shall be nominated by the Labor Advisory Board of NRA, one of whom shall represent the manufacturers and one the contractors, to investigate all industries engaged in the distribution of work to contractors. The commission shall study and investigate the conditions within the industry in order to determine what shall be a fair compensation to be paid by the manufacturers to contractors, and the entire question of the relationship between manufacturer and contractor. The commission shall study the above mentioned subject and report thereon to the Administrator within three months after the approval of Article XIX of this Code. Upon receipt of the report, the Administrator may hold hearings to consider such report. The decision rendered by the Administrator as a result of the said hearing shall be effective as of the date approved by the Administrator. The expenses of the said commission shall be paid by the Code Authority, pro rated among such subdivisional industries as affected by this Section.

SECTION 16. *Standards.*—The Fair Trade Practice Complaints Committee hereafter to be set up in accordance with NRA Bulletin No. 7 entitled "Manual for the Adjustment of Complaints" may set up an agency to work in conjunction with the Bureau of Standards of the United States Government to promulgate regulations to prevent misrepresentation and submit to the Code Authority for submission to the Administrator for his approval a set of standards, which, upon their approval, shall become part of this Code and violations will be subject to the penalties of the Act.

SECTION 17. *Returned Goods.*—No merchandise purchased and shipped in good faith and in accordance with the buyer's specifications within the specified time shall be permitted to be returned to the seller after ten days after its receipt by the purchaser, except on account of clerical or delivery error or faulty merchandise. This Section shall be construed as supplementary to special provisions in the schedule for subdivisional industries hereinafter set forth.

SECTION 18. *Advertising Allowances.*—No member of the industry shall give any advertising allowance to a customer in excess of fifty per cent of the cost of said advertising for the purpose of promoting the resale of products of said member. Nor shall any member of the industry give any advertising allowance to any customer for the pur-

pose of promoting the resale of said member's products below the price at which said member has sold his products to the customer. This shall not be construed to prohibit the giving of display matter. No member of the industry shall give any advertising allowance to a customer for any advertising which is intended to promote the resale of any products of any person other than that of said member of the industry.

This provision shall not apply to the Oiled Cotton Garment Industry.

SECTION 19. *Rebates.*—No rebate, bonus, excess discount, freight, or other allowance shall be allowed unless the same are made available to all customers under like terms and conditions.

This provision shall not apply to the Nurses', Maids' and Women's Apron and Uniform Manufacturing Industry.

SECTION 20. *Elimination of Cut, Make and Trim.*—No manufacturer or contractor shall make products of his subdivisinal industry from fabrics and/or other materials owned or supplied by a jobber, a retail distributor, or the agent, representative, or corporate subsidiary or affiliate of any such retail distributor; nor shall he manufacture such products from fabrics and/or other materials, the purchase of which is made upon the credit of, or payment for which is guaranteed by, such retail distributor or agent, representative or corporate subsidiary or affiliate of such retail distributor.

The provisions of this Section shall apply only to:

The Men's and Boys' Shirt and Blouse Industry except work shirts with the exception of shirt makers making shirts to measure for retailers' custom shirt departments.

The Men's and Boys' Pajama and Night Shirt Industry.

The Sheep Lined and Leather Garment Industry.

The Cotton Undergarment and Sleeping Garment Industry.

The Work Shirt Manufacturing Industry.

The Work Clothes Manufacturing Industry.

SECTION 21. *Shipment of Prison Made Goods.*—No member of the industry shall ship any merchandise or goods manufactured by prison labor into any State where the sale of said goods is prohibited or restricted by State law, and in the event that State laws shall require other conditions such as branding, then the same member of the industry shall conform with all of the local requirements of the particular State.

The violation of any of the provisions of schedules hereinafter set forth by any member of the subdivisinal industry affected shall constitute an unfair trade practice, and shall be deemed to be a violation of this code. It shall also be an unfair trade practice and a violation of this code to enter into any agreement, arrangement or understanding, the result of which shall be to avoid or violate any provisions of this code, or to employ any subterfuge whatsoever to avoid, evade or circumvent any provisions hereof.

SCHEDULE A

MEN'S AND BOYS' SHIRT AND BLOUSE INDUSTRY EXCEPT WORK SHIRTS

SECTION 22. *Terms.*—No terms of sale shall be in excess of 3/10 days E.O.M., or 2/10-60 extra. No extra dating shall be allowed,

nor shall any other subterfuge or change in these terms be used, except that merchandise shipped on or after the 25th of any month may be dated as of the first of the following month. In no case shall anticipation of payment exceed 6 per cent per annum.

SECTION 23. *Misrepresentation and Irregulars.*—(a) Manufacturers shall not designate material on any shirts unless it represents a major portion of the fabric of such shirt.

(b) Manufacturers shall place on shirts not of first quality such marking as may be directed by the Code Authority under general rules and regulations applicable to all manufacturers, indicating such shirts as “irregulars” in indelible ink on the center of the neckband of the shirts where it may be seen by purchaser. Such stamping shall be plainly legible.

SCHEDULE B

MEN'S AND BOYS' PAJAMA AND NIGHT SHIRT INDUSTRY

SECTION 24. *Terms.*—No member of this subdivisinal industry shall give terms of sale in excess of 2/10-60 extra, or 3/10 E.O.M., in which latter case delivery made after the 25th of any month may be dated as of the first of the following month.

SEC. 25. No member of this subdivisinal industry shall affix to any of his products inaccurate, fictitious or misleading resale prices.

SCHEDULE C

OILED COTTON GARMENT INDUSTRY

SEC. 26. *Terms.*—No member of this subdivisinal industry shall grant terms in excess of 2/10 E.O.M.

SEC. 27. No member of this subdivisinal industry shall give customers' labels of any kind free of charge.

SCHEDULE D

THE UNION-MADE GARMENT INDUSTRY

SEC. 28. *Terms.*—(a) No member of this subdivisinal industry shall grant terms in excess of net 30 days, or 10 prox. from date of shipment; no extra dating.

(b) Orders for seasonal merchandise may be shipped prior to shipping date and invoice may be dated as of the shipping date specified on the order. Seasonal merchandise consists of light garments for Spring and heavy garments for the Fall. In no case shall shipment be made prior to 30 days in advance of shipping date.

SECTION 29. All “seconds” and imperfect garments shall be identified as such by stamping legibly and indelibly the word “second” on the ticket and the white pocket, or if the garment has no white pocket, stamping shall be done on some other conspicuous place.

SECTION 30. *Returned Goods.* (a). No member of this subdivisinal industry shall accept returned goods of any stock in exchange for new stock.

(b) The return of used merchandise because of weak fabrics and materials and/or faulty construction will be permissible, but no gar-

ment shall be accepted in return if it has been destroyed or mutilated maliciously or damaged by acids, chemicals, oils and grease, or damaged through tears, snags, or rips, result of carelessness or damaged by rotting or mildew or damaged by improper washing, or if the garments have been worn, or if the garments are alleged to have shrunk, except where sold as pre-shrunk, and except for latent defects.

SCHEDULE E

WASHABLE SERVICE APPAREL INDUSTRY

SECTION 31. *Terms.*—No member of this subdivisinal industry shall grant cash discounts in excess of 2/10 e.o.m., net 60 days, or 2/30 days, net 60 days, irrespective of quantity purchases, distribution, or extension of delivery dates. Shipments on or after the 25th of any month of e.o.m. terms may be dated as of the first of the following month.

SECTION 32. *Forward Contracts.*—No member of this subdivisinal industry shall make contracts, other than with hospitals, Federal, State, or municipal institutions where the delivery period exceeds four months from the date of such contracts. No member shall post-date or falsely date contracts or invoices to frustrate the provisions of this Section.¹

SECTION 33. *Property Marking and Labeling.*—No member of this subdivisinal industry shall mark or stamp with ink any goods for a linen supply customer. No member of this subdivisinal industry shall pay for labels of any kind, for any customer.

SCHEDULE F

SHEEP LINED AND LEATHER GARMENT INDUSTRY

SECTION 34. *Terms.*—The following are the maximum terms to apply to sales for men's and boys' garments in this industry:

(a) *Jobbers, Mail Order Houses and Chain Store Terms.*—All sales of merchandise in January, February and up to March 10th may have dating as of March 10th net 30 days. From March 11th to May 31st net 30 days. June 1st to August 10th may have dating as of August 10th net 30 days. After August 11th net thirty days: no dating.

(b) *Retailers Terms.*—All sales of merchandise from October 1st of current year to May 31st of the following year not to exceed 2% ten days e.o.m. After June 1st the terms granted may be 2% ten days e.o.m. as of September 1st. Merchandise shipped after the twenty-fifth (25) day of any month may be dated as of the first day of the following month.

On sales of ladies' leather garments in this subdivisinal industry, it shall be unfair trade practice to sell at a cash discount in excess of eight (8%) per cent ten days e.o.m., except that merchandise shipped after the twenty-fifth (25th) day of any month may be dated as of the first day of the following month.

No order shall be accepted without stipulating the sale price, terms and date of shipment. No sale shall be made by any member

¹ See paragraph 3 of order approving this Amendment.

on any other terms except those expressly set forth in the order, contract of sales, or the invoice pertaining to such sale.

All orders for jobbers on drop shipments comprising fifty garments or less shall bear an additional charge of five (5¢) cents per garment.

The following sizes shall be the standard sizes of garments in this subdivisional industry:

(a) *Men's and Boys' Garments:*

1 Juvenile, Sizes 3-8

2 Boys, Sizes 6-18

Men's Suede Garments, Sizes 34-46

Men's Horsehide and Sheep Lined Garments, Sizes 34-48

(b) *Ladies' Garments:*

1 Juvenile, Sizes 2-6

2 Girls, Sizes 8-14

3 Misses, Sizes 14-20

4 Ladies, Sizes 34-42

It shall be an unfair trade practice to sell garments of sizes larger than the standard sizes hereinabove set forth at less than the additional cost for such larger sizes.

SECTION 35. All manufacturers who let out or cause their garments to be made by contractors shall file with the Cotton Garment Code Authority the names and addresses of all such contractors.

SECTION 36. All sales must be f.o.b. factory except for shipments within metropolitan districts from factories located within that area.

SECTION 37. No member of this subdivisional industry shall give customers' labels of any kind free of charge.

SCHEDULE G

COTTON WASH DRESS INDUSTRY

SECTION 38. *Terms.*—All members of this subdivisional industry shall sell merchandise on the shipping terms of f.o.b. city of manufacture, or one central shipping point, whichever the manufacturer elects and which election shall apply to all transactions but shall include free delivery to any shipping or forwarding point or one central shipping point or store within the city in which the manufacturer is located or in which the one central shipping point is located. In case of disputed claims on return merchandise transportation charges shall be paid by whichever disputant loses the decision.

SECTION 39. *Terms and Discounts.*—It shall be unfair trade practice to sell merchandise at a cash discount in excess of 8 percent 10 days e.o.m., except that merchandise shipped after the 25th day of any month may be dated as of the first day of the following month. Anticipation shall not be allowed at a rate in excess of 6 percent per annum.

SECTION 40. *Returned Goods.*—No member of this subdivisional industry shall accept returned merchandise for credit under any circumstances except in accordance with the following:

(a) Members of this subdivisional industry may accept merchandise for credit which has been shipped by a customer within five working days from the date of receipt by the customer in his store, only for the following reasons: Errors in shipment, delay in

delivery, defective material or workmanship or any breach of contract. Members of this subdivisional industry shall not accept merchandise for credit unless accompanied by a letter or regular return form mailed by the customer to the manufacturer and received by the manufacturer prior to the arrival of the merchandise, stating the contents of the package, reason for the return and the date on which the merchandise was received. Any dispute may be subject to arbitration in accordance with procedure agreed upon by the Cotton Garment Code Authority and the National Retail Code Authority.

(b) Members of this subdivisional industry shall not accept merchandise for credit shipped after the stated five working days unless accompanied by a letter or regular return form mailed by the customer to the manufacturer wherein he states that a duplicate has been mailed to the Cotton Garment Code Authority, at 40 Worth Street, New York, N.Y., and received by the manufacturer prior to the arrival of the merchandise, stating the contents of the package, the reason for the return and the date the merchandise was received, and no such return shall be accepted except for breach of contract, or defect not discoverable on reasonable inspection.

(c) Merchandise returned after the stated five days' period in areas designated by the Code Authority shall be held intact or unopened by the manufacturer, subject to examination by an impartial representative of the Cotton Garment Code Authority, who shall direct the acceptance by the manufacturer or the return of the merchandise to the customer. Any appeal from the decision of the impartial representative shall be subject to arbitration in accordance with procedure agreed upon by the Code Authority of the Cotton Garment Industry and the National Retail Code Authority. This provision shall not become effective until the Code Authority shall have completed organization to administer the same.

SECTION 41. *Exchanged Merchandise*.—It shall be an unfair trade practice for any member of this subdivisional industry to accept returned merchandise for the purpose of exchange.

SECTION 42. *Cancellations*.—No member of this subdivisional industry shall sell merchandise except under contract which shall provide:

(a) That no purchase order for merchandise shall be subject to cancellation before the specified and agreed upon shipping date written on said order;

(b) That no purchase order shall be subject to cancellation after the agreed upon shipping date unless cancellation is in writing, and it permits the manufacturer three additional working days from the date of receipt of such cancellation to complete and ship any and all merchandise in work at that time;

(c) That if no notice of cancellation is received by the manufacturer from the customer, all merchandise remaining on order shall be cancelled by the manufacturer two (2) weeks after the expiration date of order.

SECTION 43. *Retail Selling*.—It shall be an unfair trade practice for those members of the Cotton Wash Dress Industry, normally selling to the trade for resale, to sell merchandise to anyone except to established and recognized wholesale or retail distributors. This

shall not prevent, however, bona fide sales by members to their own employees of merchandise which is for the personal use of such employees, or to retail buyers for their own personal use at not less than the regular wholesale prices, provided the buyers are employed in the department in which the merchandise of the members of the industry is usually sold.

SECTION 44. *Payment of Labels.*—No member of this subdivisional industry shall give customers' private labels of any kind free of charge.

SCHEDULE H

COTTON UNDERGARMENT AND SLEEPING GARMENT MANUFACTURING INDUSTRY

SECTION 45. *Terms.*—No member of this subdivisional industry shall grant cash discounts in excess of 8/10 e.o.m. All merchandise shipped from the first of the month to the 24th of the month inclusive shall be due and payable on the tenth (10th) of the following month. Bills for merchandise shipped on or after the twenty-fifth (25th) of the month will carry dating as of the first (1st) of the following month. There shall be no additional dating nor shall it be permitted to build up terms in excess of 8/10 e.o.m.

Manufacturers of flannelettes, manufacturing goods for Fall delivery, may have the privilege of granting terms for flannelette wear as of August 1st, 8%—10 days e.o.m., making said invoice payable September 10th.

No member of this subdivisional industry shall ship goods on terms other than f.o.b. point of origin or central shipping point. Members of this subdivisional industry may, however, make free deliveries within the confines of the city limits of the point of origin or central shipping point.

SECTION 46. No bonus or other consideration other than quantity discount at time of invoice may be granted in consideration of a specific volume of business. No allowance of *free goods* or consideration of any other nature whatsoever other than the quantity discount referred to above may be granted in exchange for volume of business.

SECTION 47. No member of this subdivisional industry shall accept the return of any stock in exchange for new stock.

SECTION 48. No member of this subdivisional industry shall give customers' labels of any kind free of charge.

SCHEDULE I

WORK SHIRT MANUFACTURING INDUSTRY

SECTION 49.—All merchandise shall be sold and billed f.o.b. shipping point. The term "shipping point" is defined to mean the place where manufacturing plant or stock room is maintained for the actual distribution of merchandise. In any city where a manufacturer has a shipping point, it shall be optional with the manufacturer whether or not there shall be charges for delivery within that metropolitan district.

SECTION 50. *Terms.*—No member of this subdivisional industry shall grant cash discounts in excess of 1/10 net 60 days to the recognized jobbing trade, mail order houses, and chain stores operating ten or more stores, nor in excess of 2/10 net 30 days to retailers, other than those mentioned above. Anticipation for prepayment shall not exceed six (6%) per cent per annum.

SECTION 51. No member of this subdivisional industry shall give or accept listings.

SECTION 52. No member of this subdivisional industry shall give or accept options.

SCHEDULE J

NURSES', MAIDS', AND WOMEN'S APRON AND UNIFORM MANUFACTURING INDUSTRY

SECTION 53. *Terms.*—No member of this subdivisional industry shall grant cash discounts in excess of 3/10 e.o.m.

Shipments made on or after the twenty-fifth (25th) day of any month may be dated as of the first day of the following month.

SECTION 54. No member of this subdivisional industry shall falsely designate as job lots merchandise which does not consist of discontinued styles or seconds.

SECTION 55. No member of this subdivisional industry shall pay to any purchaser of merchandise or purchaser's agent any commission unless it be a regular salesman or sales organization employed by the manufacturer.

SECTION 56. No member of this subdivisional industry shall give customers' labels of any kind free of charge.

SECTION 57. *Rebates.*—No rebate, bonus, or excess discount shall be allowed.

SCHEDULE K

WORK CLOTHES MANUFACTURING INDUSTRY

SECTION 58. *Terms.*—No member of this subdivisional industry shall grant cash discounts in excess of net 30 days.

SECTION 59. All merchandise shall be shipped f.o.b. factory.

SECTION 60. Standard sizes on open stock for this subdivision shall be as follows:

1. Youths' sizes shall not exceed age 16 (or size 34) on all garments except shirts. Shirt sizes shall not exceed size 14½.

2. Men's extra sizes shall begin with: Waist 44 for overalls, pants, and breeches. Size 48 for coats, combination suits, blazers, wind-breakers, vests and other similar garments. Size 17½ for shirts.

3. It shall be an unfair trade practice to sell garments of sizes larger than the standard sizes hereinabove set forth at less than cost for such larger sizes.

Approved Code No. 118—Amendment No. 5.
Registry No. 217-1-06.

UNIVERSITY OF FLORIDA



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